

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ALMA T. McBROOM,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:06-cv-767-MEF
	)	(WO)
JOHN E. POTTER, Postmaster General,	)	
United States Postal Service, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

This action is presently before the Court on the motion of Defendant John E. Potter (“Potter”) for entry of final judgment pursuant to Fed. R. Civ. P. 54(b). By Order entered on January 25, 2007 (Doc. # 36), the Court adopted the recommendation of the Magistrate Judge that Plaintiff’s due process claim against Potter, seeking compensatory and punitive damages, be dismissed. The Court construed Plaintiff’s objection to the recommendation to include a motion for leave to amend the complaint to add a demand for equitable relief. In a scheduling conference held on February 1, 2007, the Magistrate Judge ordered Plaintiff to file a proposed amendment to the complaint by February 7, 2007. *See* Doc. # 37 (minute entry). Plaintiff filed no proposed amendment within the time allowed by the Court. Additionally, the deadline for amendments established by the Rule 16 scheduling order entered on February 2, 2007 has now passed, and Plaintiff has not filed a proposed amendment. There are no pending claims against Potter.

Accordingly, it is ORDERED as follows:

(1) Potter's Motion for Entry of Judgment (Doc. # 45) is GRANTED.

(2) The Clerk of the Court is DIRECTED to terminate Potter's Motion to Dismiss (Doc. # 24), as the Court's Order of January 25, 2007 grants the relief sought in this motion.

A separate judgment will be entered.

DONE this the 8<sup>th</sup> day of March, 2007.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE